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DALLAS, TX 75201-2980

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DEC 14 2009

OFFICE OF PETITIONS

In re Application of :
Thompson et al. :
Application No. 09/767,374 : **DECISION ON PETITION**
Filed: January 22, 2001 :
Attorney Docket No. 062891.2756 :

This is a decision on the petition, filed October 14, 2009, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to reply to the Non Final Office action mailed October 6, 2008, which set a three (3) month shortened statutory period for reply. A Notice of Abandonment was mailed on April 14, 2009.

Petitioner asserts that the Office action dated October 6, 2008 was not received, since the Office mailed the communication to wrong correspondence address. Petitioner alleges that a proper revocation and appointment of new power of attorney, including a change of correspondence address was filed on July 7, 2008. Accordingly, petitioner request that the abandonment be withdrawn.

A review of the written record does indicate an irregularity in the mailing of the Office action of October 6, 2008. In this regard, the Office received the revocation and power of attorney, including the change of correspondence address on July 7, 2008, which was prior to the mailing of the Office action of October 6, 2008. Accordingly, as the Office action was mailed to an incorrect address, the Notice of Abandonment mailed April 14, 2009 is hereby vacated.

In view of the above, the holding of abandonment is hereby withdrawn.

This application is being referred to the Technology Center technical support staff of Art Unit 2452 for remailing the Office action of October 6, 2008 and resetting the period for reply.

The Power of Attorney filed July 7, 2008, is hereby accepted and made of record. The Notice of Acceptance of Power of Attorney is enclosed.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

A handwritten signature in black ink, appearing to read "Chris Bottorff".

Chris Bottorff
Petitions Examiner
Office of Petitions

Enclosed: Notice of Acceptance of Power of Attorney



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/767,374	01/22/2001	James Thompson	WAYPORT.06300US

CONFIRMATION NO. 2543

POA ACCEPTANCE LETTER

5073
BAKER BOTTS L.L.P.
2001 ROSS AVENUE
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DALLAS, TX 75201-2980



Date Mailed: 12/11/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/07/2008.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/atkelley/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101